



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/533,245

04/29/2005

Peter Dam Nielsen

915-008.034

5173

4955

7590

12/31/2009

WARE FRESSOLA VAN DER SLUYS & ADOLPHSON, LLP  
BRADFORD GREEN, BUILDING 5  
755 MAIN STREET, P O BOX 224  
MONROE, CT 06468

EXAMINER

PHUONG, DAI

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

12/31/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/533,245	<b>Applicant(s)</b> DAM NIELSEN ET AL.	
	<b>Examiner</b> DAI A. PHUONG	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,6-11,13-19,21,24-31 and 33-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-4, 6-11, 13-19, 21, 24-31 and 33-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/30/2009 has been entered.

### ***Response to Argument***

2. Applicant's arguments, filed 10/30/2009, with respect to claims have been considered but are moot in view of the new ground(s) of rejection. Claims 2, 5, 12, 20, 22-23, 32 and 39-47 have been canceled. Claims 1, 3-4, 6-11, 13-19, 21, 24-31 and 33-38 are currently pending.

Applicant, on page 11 of the remark, argues that However, *Kamimura's* second process for dealing with incoming message signals fails to address the situation where no email address is included in a control data portion of the incoming message signal, as this is the case for messaging services in a number of widely used mobile telecommunication systems such as GSM, UMTS, D-AMPS or CDMA 2000. In fact, *Kamimura* is silent about any message of a type, which has a control data portion and a message data portion, where the control data portion includes a telephone number, and where a control unit is configured to extract the telephone number included in the control data portion of the electronic message, match the telephone number with one telephone number stored in the memory, and to present a matching icon associated with the telephone number, if any, indicating receipt of the received electronic message. Furthermore, contrary to the present invention, *Kamimura* teaches displaying the

sender's identity (such as name and email address) with the display of the matching image so anyone can see the sender's identity on display. The present invention particularly specifies that the displayed matching icon is used by a user of the apparatus to identify a sender of the electronic message according to the identification of the person stored with the telephone number in the record, and the identification is NOT displayed with the icon. By doing this, the sender's integrity is not unduly jeopardized, since the icon is stored locally in the receiving communication apparatus, and only the user knows the relationship between icon and sender (see paragraph [0014] of the originally filed application). In other words, in *Kamimura*, the sender's identity is displayed at the time a call or a message is received, it is easy to be seen by not only the user of the device but also by others, whereas in the present invention, the identity of the sender is only known to the user of the device, thus ensuring a higher privacy level. However, the Examiner respectfully disagrees.

Firstly, Kamimura discloses in the paragraph 78 that the control unit 100 of the radio communication apparatus detects an email address in the receiving message signal. Additionally, Kamimura discloses in the paragraph 92 that if the telephone number is assigned in the receiving message signal, the control unit 100 of the radio communication apparatus can retrieve personal data (image/icon) based upon the telephone number. However, there is no limitation in the claim recite “where no email address is included in a control data portion of the incoming message signal. Therefore, Kamimura does not need to teach that limitations.

Secondly, Kamimura discloses in paragraph 23 that the radio communication apparatus that performs radio communication with the base station by TDMA (time division multiple access). However, Kamimura does not disclose the telecommunication system is one of the

following: GSM, UMTS, D-AMP or DCMA 200. Now, the Examiner relies on Smith et al. to teach that limitation. For example, Smith et al. disclose in Col. 3, lines 48 to Col. 4, lines 64 that a subscriber mobile telephone 1100 and caller equipment 1300 through 1700 communicate with network services provider 1200 over a communications network, such as Global System for Mobile Communications (GSM) switching fabric 1800.

Thirdly, Kamimura discloses in the paragraph 78 to 81 and 92 that the control unit 100 of the radio communication apparatus detects an email address or telephone number in the receiving message signal. If the telephone number/email address corresponds/matches to a telephone number/email address stores in the memory. Then, the display unit displays name (identification of a person) and the email address of a sender of the received message. However, Kamimura does teach the identification of a person is not display. Now, the Examiner relies on Sim et al. to teach that limitation.

### ***Information Disclosure Statement***

3. The references listed in the Information Disclosure Statement filed on 07/06/2009, 08/03/2009 and 10/30/2009 have been considered by the examiner.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3, 8-11, 13-19, 21, 27, 29-31 and 33-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamimura (Pub. No: 20020094806) in view of Sim et al. (U.S. 6771974).

Regarding claim 1, Kamimura discloses a communication apparatus comprising:

a controller (control unit 100, Fig. 1) ([0024] and [0051]. Kamimura discloses in paragraph 24 that the radio communication apparatus comprises a control unit 10);

an interface (antenna 11 and/or receiver 13, Fig. 1), configured to receive an electronic message ([0025]-[0026], [0052] and [0070]. Kamimura discloses in paragraph 25 and 26 that the radio communication apparatus comprises an antenna 11 and receiver 13 for receiving signal (receiving message) from the mobile radio communication network);

a display (display unit 71, Fig. 1) ([0047]. Kamimura discloses the radio communication apparatus comprises a display unit 70 for displaying the phone number and receiving messages); and

memory (memory 60, Fig. 1) ([0039]. Kamimura discloses the radio communication apparatus comprises a memory unit 60 which includes telephone directory 60a and image memory 60b),

wherein said electronic message has a control data portion and a message data portion, the control data portion including a telephone number for a mobile telecommunication system ([0078] and [0092]. Kamimura discloses the received message includes email address and phone number. However, the received message includes email body/data portion)

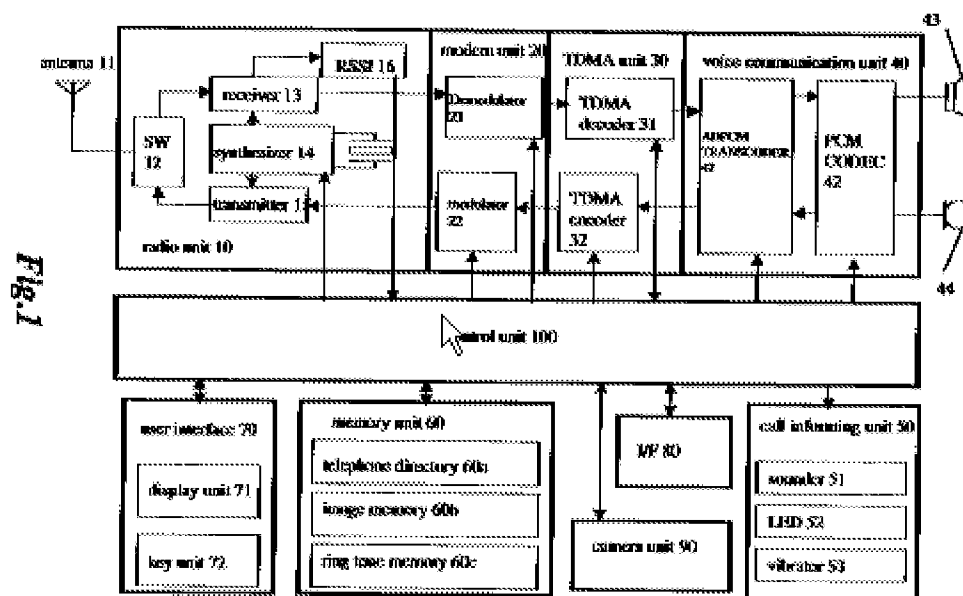
wherein said memory (60, Fig. 1) is configured to store a directory (directory 60a Fig. 1, [0040]), said directory comprising at least one record, said record comprising an identification of

a person (name), a telephone number (telephone number/caller ID), and an association (image pattern number is to provide an association between the phone number and image) between the telephone number (telephone number/caller ID) and at least one predefined icon (memory 60 includes an image memory 60b which stores images, Fig.1), said at least one predefined icon also being stored in the memory (memory 60 includes an image memory 60b which stores images) ([0040]-[0041], [0060] and [0078] to [0081]. Kamimura discloses the radio communication apparatus comprises a memory 60 which includes a telephone directory which stores a plurality of data sets including a name, a telephone number, e-mail address, image pattern numbers, a ring tone number, a background color number, and a vibrating pattern. Additionally, the memory 60 includes an image memory 60b which stores images corresponding to each image pattern number), and

wherein said controller (control unit 100) is configured to extract the telephone number (telephone number/caller ID) included in the control data portion of the electronic message (received message), matching the telephone number with one telephone number stored in the memory (memory 60, Fig. 1), and to present a matching icon (image) associated with said telephone number if any, on said display to indicate receipt of said received electronic message wherein said displayed matching icon (image) is for use by a user of the apparatus to identify a sender of the electronic message according to the identifier of the person stored with the telephone number in the ([0078]-[0081] and [0092]. Kamimura discloses in paragraph 78 and 92 that the control unit 100 detects an e-mail address/telephone number in the received incoming message signal. The control unit 100 retrieves personal data from the telephone directory 60a corresponding (matching) to caller ID (telephone number/email address) information associated

Art Unit: 2617

with the received incoming message signal (the personal data includes the detected e-mail address or phone number). If matching, the display unit 71 displays the data including the email address and the image (icon). Additionally, Kamimura discloses in paragraph 87 that the images are set corresponding to a phone number in the telephone directory. Therefore, the radio communication apparatus can help a user identify a caller easily by looking at the displayed images.



However, Kamimura does not disclose wherein said identification is not display.

In the same field of endeavor, Sim et al. disclose wherein said identification (name) is not display (Col. 3, lines 52-55. Sim et al. disclose that the display unit only displays the content of the received message without indicating the name of the sender of the received message).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Kamimura by specifically including wherein said



identification is not display, as taught by Sim et al., the motivation being in order to prevent to expose the identification of a person to a third party.

Regarding claim 3, Kamimura disclose all the limitations in claim 1. Further, Kamimura discloses the apparatus wherein said electronic message is an SMS or MMS message ([0052], wherein an incoming message signal can include text messages, e-mail messages, short messages, video messages, and multimedia messages).

Regarding claim 8, the combination of Kamimura and Sim et al. disclose all the limitations in claim 1. Furthermore, Kamimura discloses the apparatus wherein said controller is configured to enhance the presentation of the or each presented icon with one or more of the following visual effects: animation, scrolling, morphing, flashing and changing colors ([0063], wherein the user can set personal background colors with the images and further in paragraph 0089 wherein the user can set a company or school icon to indicate the calling party).

Regarding claim 9, the combination of Kamimura and Sim et al. disclose all the limitations in claim 1. Furthermore, Kamimura discloses the apparatus wherein the directory comprises a phonebook, an address book or a contact book ([0012] and Fig. 2 illustrate a memory data table stores in telephone directory), wherein the association (image pattern number is to provide an association between phone number and image) between the telephone number and the at least one predefined icon is stored in an entry in said phonebook, address book or contact book ([0039] to [0044]. Kamimura discloses in the Abstract that the telephone directory 60a stores image pattern numbers).

Regarding claim 10, the combination of Kamimura and Sim et al. disclose all the limitations in claim 9. Further, Kamimura discloses the apparatus wherein the association comprises a link to an image file, which is stored outside of said phonebook entry, address book entry or contact book entry (image pattern number corresponds to each images which stores in the image memory 60b) but inside said memory ([0045]. Kamimura discloses image pattern numbers corresponds to each images which stores in the image memory 60b and the directory memory 60a comprises a phonebook, an address book or a contact book ([0012] and Fig. 2 illustrate a memory data table stores in telephone directory), and which contains image data that defines the or each predefined icon ([0045]. Kamimura disclose wherein image pattern number corresponds to each image).

Regarding claim 11, the combination of Kamimura and Sim et al. disclose all the limitations in claim 9. Further, Kamimura discloses the apparatus wherein the association comprises image data that defines the or each predefined icon and is stored in said phonebook entry, address book entry or contact book entry ([0040] to [0045]. Kamimura discloses in the Abstract that the directory 60a stores image pattern numbers which correspond to each image).

Regarding claim 13, the combination of Kamimura and Sim et al. disclose all the limitations in claim 1. Furthermore, Kamimura discloses the apparatus further comprising an element (key unit 72 and/or I/F interface 80) for adding a new icon to said memory, and element for generating in said memory a new association between said new icon and a telephone number in a record in the directory (Abstract and [0045] to [0046]. At the time the user purchases the radio communication apparatus (see Fig. 1), there is no name, telephone number and image of the received message party in the telephone directory 60a and image memory 60b. Then the user

of the radio communication apparatus adds the name, telephone number and image of the received message party into the telephone directory 60a and image memory 60b via user interface 70 and radio unit respectively. Therefore, the radio communication apparatus allows the user to add new icons and phone number into the telephone directory 60a and image memory 60b respectively in order to identify a caller easily by looking at the display unit).

Regarding claim 14, the combination of Kamimura and Sim et al. disclose all the limitations in claim 13. Further, Kamimura discloses the apparatus wherein said means for adding a new icon comprises an image editor in said apparatus ([0045] to [0046], wherein the user may add new icons by downloading via radio unit 10, external interface or camera).

Regarding claim 15, the combination of Kamimura and Sim et al. disclose all the limitations in claim 13. Further, Kamimura discloses the apparatus wherein said means for adding a new icon comprises a communications interface of said communication apparatus ([0045] to [0046], wherein the user may add new icons by downloading via radio unit 10, external interface or camera).

Regarding claim 16, the combination of Kamimura and Sim et al. disclose all the limitations in claim 15. Further, Kamimura discloses the apparatus wherein said communications interface is at **least one of**: a serial interface; a short-range supplementary radio data interface; a WAP compatible interface; and an RF interface for a mobile telecommunications system ([0045] to [0046], wherein the user may add new icons by downloading via radio unit 10, external interface or camera. The radio unit 10 includes antenna 11, receiver 13 and transmitter 15).

Regarding claim 17, the combination of Kamimura and Sim et al. disclose all the limitations in claim 15. Further, Kamimura discloses the apparatus wherein said communications interface is the same as said interface adapted to receive an electronic message (see fig. 1 and [0024] to [0025] and [0045], wherein the user transmits/receives incoming message via radio unit 10 which includes antenna 11, receiver 13 and transmitter 15).

Regarding claim 18, the combination of Kamimura and Sim et al. disclose all the limitations in claim 1. Further, Kamimura discloses the apparatus wherein said communication apparatus is a portable telecommunication apparatus (Fig. 1, [0023] to [0024]).

Regarding claim 19, Kamimura discloses a method, comprising:

receiving an electronic message, said electronic message having a control data portion and a message data portion, the control data portion including a telephone number for a mobile telecommunication system ([0078] and [0092]. Kamimura discloses in paragraph 78 that the control unit 100 of the radio communication apparatus (show in Fig. 1) receives incoming message and in paragraph 92 that the receive message includes email address and/or telephone number. However, the received message include email body/data portion)

extracting the telephone number (telephone number/caller ID) from the control data portion of the electronic message (received message) ([0078]-[0081] and [0092]. Kamimura discloses the control unit 100 detects an e-mail address/phone number in the received incoming message signal),

matching the telephone number with one telephone number stored in a directory, said directory comprising at least one record, said record comprising an identification of a person

(name), a telephone number (telephone number), and an association (image pattern number) between said telephone number (telephone number) and at least one predefined icon (image) ([0040]-[0041], [0060] and [0078] to [0081]. Kamimura discloses in the Abstract and paragraph 12 that the radio communication apparatus comprises a telephone directory which stores a plurality of data sets including a name, a telephone number, e-mail address, image pattern numbers, a ring tone number, a background color number, and a vibrating pattern. An image memory stores images corresponding to each image pattern number); and

displaying a matching icon, if any, that associates with the telephone number ([0078]-[0081] and [0092]. Kamimura discloses in paragraph 78 and 92 that the control unit 100 detects an e-mail address/telephone number in the received incoming message signal. The control unit 100 retrieves personal data from the telephone directory 60a corresponding (matching) to caller ID (telephone number/email address) information associated with the received incoming message signal (the personal data includes the detected e-mail address or phone number). If matching, the display unit 71 displays the data including the email address and the image (icon);

wherein said displayed matching icon is for use by a user of the apparatus to identify a sender of the electronic message according to the identification of the person stored with the telephone number in the record ([0078]-[0081] and [0092]. Kamimura discloses in paragraph 78 and 92 that the control unit 100 detects an e-mail address/telephone number in the received incoming message signal. The control unit 100 retrieves personal data from the telephone directory 60a corresponding (matching) to caller ID (telephone number/email address) information associated with the received incoming message signal (the personal data includes the detected e-mail address or phone number). If matching, the display unit 71 displays the data

including the email address and the image (icon). Additionally, Kamimura discloses in paragraph 87 that the images are set corresponding to a phone number in the telephone directory. Therefore, the radio communication apparatus can help a user identify a caller easily by looking at the displayed images.

However, Kamimura does not disclose wherein said identification is not display.

In the same field of endeavor, Sim et al. disclose wherein said identification (name) is not display (Col. 3, lines 52-55. Sim et al. disclose that the display unit only displays the content of the received message without indicating the name of the sender of the received message).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Kamimura by specifically including wherein said identification is not display, as taught by Sim et al., the motivation being in order to prevent to expose the identification of a person to a third party.

Regarding claim 21, the combination of Kamimura and Sim et al. disclose all the limitations in claim 19. Further, Kamimura discloses the method wherein said electronic message is an SMS or MMS message ([0052], wherein an incoming message signal can include text messages, e-mail messages, short messages, video messages, and multimedia messages)

Regarding claim 27, the combination of Kamimura and Sim et al. disclose all the limitations in claim 19. Furthermore, Kamimura discloses the method wherein the displaying of the or each matching is enhance with one or more of the following visual effects: animation, scrolling, morphing, flashing and changing colors ([0063], wherein the user can set personal

background colors with the images and furthermore in paragraph 0089 wherein the user can set a company or school icon to indicate the calling party).

Regarding claim 29, the combination of Kamimura and Sim et al. disclose all the limitations in claim 19. Furthermore, Kamimura discloses the method wherein the directory comprises a phonebook, an address book or a contact book ([0012] and Fig. 2 illustrate a memory data table stores in telephone directory), wherein the association (image pattern number is to provide an association between phone number and image) between the telephone number and the at least one predefined icon is stored in a phonebook entry, an address book entry or a contact book ([0039] to [0044]. Kamimura discloses in the Abstract that the telephone directory 60a stores image pattern numbers).

Regarding claim 30, the combination of Kamimura and Sim et al. disclose all the limitations in claim 29. Further, Kamimura discloses the method wherein the association comprises a link to an image file, which is stored outside of said phonebook entry, address book entry or contact book entry ([0045]. Kamimura discloses image pattern numbers corresponds to each images which stores in the image memory 60b and the directory memory 60a comprises a phonebook, an address book or a contact book ([0012] and Fig. 2 illustrate a memory data table stores in telephone directory), and which contains image data that defines the or each predefined icon ([0045]. Kamimura disclose wherein image pattern number corresponds to each image).

Regarding claim 31, the combination of Kamimura and Sim et al. disclose all the limitations in claim 29. Further, Kamimura discloses the method wherein the association comprises image data that defines the or each predefined icon and is stored in said phonebook

entry, address book entry or contact book entry ([0040] to [0045]. Kamimura discloses in the Abstract that the directory 60a stores image pattern numbers which correspond to each image).

Regarding claim 33, the combination of Kamimura and Sim et al. disclose all the limitations in claim 19. Furthermore, Kamimura discloses the method further comprising adding a new icon and generating a new association between said new icon and a telephone number in a record in the directory (Abstract and [0045] to [0046]. At the time the user purchases the radio communication apparatus (see Fig. 1), there is no name, telephone number and image of the received message party in the telephone directory 60a and image memory 60b. Then the user of the radio communication apparatus adds the name, telephone number and image of the received message party into the telephone directory 60a and image memory 60b via user interface 70 and radio unit respectively. Therefore, the radio communication apparatus allows the user to add new icons and phone number into the telephone directory 60a and image memory 60b respectively in order to identify a caller easily by looking at the display unit).

Regarding claim 34, the combination of Kamimura and Sim et al. disclose all the limitations in claim 33. Further, Kamimura discloses the method wherein said adding is proceed by generating said new icon locally by way of an image editor ([0045] to [0046], wherein the user may add new icons by downloading, external interface or camera)

Regarding claim 35, the combination of Kamimura and Sim et al. disclose all the limitations in claim 34. Further, Kamimura discloses the method wherein said adding is proceed by generating said new icon through communications interface ([0045] to [0046], wherein the user may add new icons by downloading via radio unit 10, external interface or camera)



Regarding claim 36, the combination of Kamimura and Sim et al. disclose all the limitations in claim 35. Further, Kamimura discloses the method wherein said communications interface is at **least one of**: a serial interface; a short-range supplementary radio data interface; a WAP compatible interface; and an RF interface for a mobile telecommunications system ([0045] to [0046], wherein the user may add new icons by downloading via radio unit 10, external interface or camera. The radio unit 10 includes antenna 11, receiver 13 and transmitter 15).

Regarding claim 37, the combination of Kamimura and Sim et al. disclose all the limitations in claim 36. Further, Kamimura discloses the method wherein said communications interface is the same as said interface adapted to receive an electronic message (see fig. 1 and [0024] to [0025] and [0045], wherein the user transmits/receives incoming message via radio unit 10 which includes antenna 11, receiver 13 and transmitter 15).

6. Claims 4 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamimura (Pub. No: 20020094806) in view of Sim et al. (U.S. 6771974) and further in view of Smith et al. (U.S. 6333973).

Regarding claim 4, the combination of Kamimura and Sim et al. disclose all the limitations in claim 1. However, the combination of Kamimura and Sim et al. do not disclose the apparatus wherein said telecommunication system is one of the following: Global System for Mobile communications (GSM), Universal Mobile Telecommunications System (UMTS), Digital Advanced Mobile Phone System (D-AMPS) or Code Division Multiple Access 2000 (CDMA2000).

In the same field of endeavor, Smith et al. disclose the apparatus wherein said telecommunication system is one of the following: Global System for Mobile communications (GSM), Universal Mobile Telecommunications System (UMTS), Digital Advanced Mobile Phone System (D-AMPS) or Code Division Multiple Access 2000 (CDMA2000) (col. 1, lines 45-55 and col. 3, lines 48 to col. 4, lines 64. Smith et al. disclose that a network services provider 1200 stores many of the messages awaiting retrieval by the user and notifies the user of the pending messages. Subscriber mobile telephone 1100 and caller equipment 1300 through 1700 communicate with network services provider 1200 over a communications network, such as Global System for Mobile Communications (GSM) switching fabric 1800).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Kamimura by specifically including said telecommunication system is one of the following: Global System for Mobile communications (GSM), Universal Mobile Telecommunications System (UMTS), Digital Advanced Mobile Phone System (D-AMPS) or Code Division Multiple Access 2000 (CDMA2000), as taught by Smith et al., the motivation being in order to provide transmitting or receiving message from and to a user.

Regarding claim 38, the combination of Kamimura and Sim et al. disclose all the limitations in claim 19. However, the combination of Kamimura and Sim et al. do not disclose the method wherein a telecommunication apparatus is configured to perform the method, said communication apparatus is a portable telecommunication apparatus, and wherein the apparatus is used as a mobile terminal for one or more of the following: Global System for Mobile communications (GSM), Universal Mobile Telecommunications System (UMTS), Digital

Advanced Mobile Phone System (D-AMPS) or Code Division Multiple Access 2000 (CDMA2000).

In the same field of endeavor, Smith et al. disclose the method wherein a telecommunication apparatus is configured to perform the method, said communication apparatus is a portable telecommunication apparatus, and wherein the apparatus is used as a mobile terminal for one or more of the following: Global System for Mobile communications (GSM), Universal Mobile Telecommunications System (UMTS), Digital Advanced Mobile Phone System (D-AMPS) or Code Division Multiple Access 2000 (CDMA2000) (col. 1, lines 45-55 and col. 3, lines 48 to col. 4, lines 64. Smith et al. disclose that a network services provider 1200 stores many of the messages awaiting retrieval by the user and notifies the user of the pending messages. Subscriber mobile telephone 1100 and caller equipment 1300 through 1700 communicate with network services provider 1200 over a communications network, such as Global System for Mobile Communications (GSM) switching fabric 1800).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Kamimura by specifically including the method wherein a telecommunication apparatus is configured to perform the method, said communication apparatus is a portable telecommunication apparatus, and wherein the apparatus is used as a mobile terminal for one or more of the following: Global System for Mobile communications (GSM), Universal Mobile Telecommunications System (UMTS), Digital Advanced Mobile Phone System (D-AMPS) or Code Division Multiple Access 2000 (CDMA2000), as taught by Smith et al., the motivation being in order to provide transmitting or receiving message from and to a user.

7. Claims 6 and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamimura (Pub. No: 20020094806) in view of Sim et al. (U.S. 6771974) and further in view of Burns et al. (Pub. No: 20020126146)

Regarding claim 6, the combination of Kamimura and Sim et al. disclose all the limitations in claim 1. However, the combination of Kamimura and Sim et al. do not disclose the apparatus wherein said controller is configured to simultaneously present a plurality of matching icons on said display to indicate a corresponding plurality of received messages.

In the same field of endeavor, Burns et al. disclose the apparatus wherein said controller is configured to simultaneously present a plurality of matching icons on said display to indicate a corresponding plurality of received messages ([0019]. In figure. 1B, it shows the received messages sent from Heather and Dean Kelly at the same time (6:07P)).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Kamimura by specifically including the apparatus wherein said controller is configured to simultaneously present a plurality of matching icons on said display to indicate a corresponding plurality of received messages, as taught by Burns et al., the motivation being in order to allow the user to know who is the sender is and the time the message is received.

Regarding claim 24, the combination of Kamimura and Sim et al. disclose all the limitations in claim 1. However, the combination of Kamimura and Sim et al. do not disclose the method performed repeatedly for a plurality of received message, so that a corresponding plurality of matching icons, if any are display simultaneously.

In the same field of endeavor, Burns et al. disclose the method performed repeatedly for a plurality of received message, so that a corresponding plurality of matching icons, if any are display simultaneously ([0019]. The Figure. 1B shows the received messages sent from Heather and Dean Kelly at the same time (6:07P)).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Kamimura by specifically including the method performed repeatedly for a plurality of received message, so that a corresponding plurality of matching icons, if any are display simultaneously, as taught by Burns et al., the motivation being in order to allow the user to know who is the sender is and the time the message is received.

Regarding claim 25, the combination of Kamimura and Sim et al. disclose all the limitations in claim 1. However, the combination of Kamimura and Sim et al. do not disclose the method performed repeatedly for a plurality of received message, so that only the last received message irrespective of sender is indicate by its matching icon, if any.

In the same field of endeavor, Burns et al. disclose the method performed repeatedly for a plurality of received message, so that only the last received message irrespective of sender is indicate by its matching icon, if any ([0019] and [0020]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Kamimura by specifically including the method performed repeatedly for a plurality of received message, so that only the last received message irrespective of sender is indicate by its matching icon, if any, as taught by Burns et al., the motivation being in order to allow the user to know who is the sender is and the time the message is received.

8. Claims 7 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamimura (Pub. No: 20020094806) in view of Sim et al. (U.S. 6771974) and further in view of Imamura et al. (Pub. No.: 20020091774).

Regarding claim 7, the combination of Kamimura and Sim et al. disclose all the limitations in claim 1. However, the combination of Kamimura and Sim et al. do not disclose the apparatus wherein said controller is configured to display, for each presented matching icon, a numeric indicator to indicate a current number of unread messages received from a respective sender associated with each presented matching icon.

In the same field of endeavor, Imamura et al. disclose the apparatus wherein said controller is configured to display, for each presented matching icon, a numeric indicator to indicate a current number of unread messages received from a respective sender associated with each presented matching icon (Fig. 6, [0053]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Kamimura by specifically including the apparatus wherein said controller is configured to display, for each presented matching icon, a numeric indicator to indicate a current number of unread messages received from a respective sender associated with each presented matching icon, as taught by Imamura et al., the motivation being in order to notify the user that new e-mails have been received.

Regarding claim 26, the combination of Kamimura and Sim et al. disclose all the limitations in claim 19. However, the combination of Kamimura and Sim et al. do not disclose

the method performed repeatedly for a plurality of received messages so that each displayed matching icon, if any, is provided with a numeric indicator to indicate the current number of unread messages received from the sender associated with the displayed matching icon.

In the same field of endeavor, Imamura et al. disclose the method performed repeatedly for a plurality of received messages so that each displayed matching icon, if any, is provided with a numeric indicator to indicate the current number of unread messages received from the sender associated with the displayed matching icon (Fig. 6, [0053]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Kamimura by specifically including the method performed repeatedly for a plurality of received messages so that each displayed matching icon, if any, is provided with a numeric indicator to indicate the current number of unread messages received from the sender associated with the displayed matching icon, as taught by Imamura et al., the motivation being in order to notify the user that new e-mails have been received.

9. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kamimura (Pub. No: 20020094806) in view of Sim et al. (U.S. 6771974) and further in view of Hsu (U.S. 5907604).

Regarding claim 28, the combination of Kamimura and Sim et al. disclose all the limitations in claim 19. However, the combination of Kamimura and Sim et al. do not disclose the method wherein a default icon is displayed on to indicate said received electronic message, in case no matching icon has been determined.

In the same field of endeavor, Kamimura discloses the method wherein a default icon is displayed on to indicate said received electronic message, in case no matching icon has been determined (col. 6, lines 44-53)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Kamimura by specifically including the method wherein a default icon is displayed on to indicate said received electronic message, in case no matching icon has been determined, as taught by Hsu, the motivation being in order to inform the user there is an incoming call and the user determines whether to allow the call to go through or block the call.

### **Conclusion**

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dai A Phuong whose telephone number is 571-272-7896. The examiner can normally be reached on Monday to Friday, 9:00 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dai A Phuong/  
Examiner, Art Unit 2617  
Date: 12/23/2009  
PS